

EXHIBIT 17

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

COMMONWEALTH OF
MASSACHUSETTS, et al.,

Plaintiffs,

v.

NATIONAL INSTITUTES OF HEALTH,
et al.,

Defendants.

Civil Action No. _____

Declaration of Dr. Gireesh Gupchup

I, Gireesh Gupchup, hereby declare:

1. The Board of Trustees of Southern Illinois University (SIU Board) is a body politic and corporate created by Illinois statute (110 ILCS 520/0.01 *et seq.*). The SIU Board governs the Southern Illinois University System (SIU System), which consists of Southern Illinois University Carbondale (SIUC), Southern Illinois University Edwardsville (SIUE), and the Southern Illinois University School of Medicine (SOM).
2. I am the SIU System Vice President for Academic Innovation, Planning and Partnerships, a position I have held since 2020. As the System Vice President for Academic Innovation, Planning and Partnerships, I regularly work with the chief research officers on the SIU System campuses (SIUC, SIUE, and SOM). Prior to holding this position, I was Director of University-Community Relations and Dean of the School of Pharmacy at Southern Illinois University Edwardsville.

3. As the SIU System Vice President for Academic Innovation, Planning and Partnerships, I have personal knowledge of the matters set forth below, or have knowledge of the matters based on my review of information and records gathered by university staff.
4. I am providing this declaration to explain certain impacts of National Institutes of Health (NIH) Notice Number NOT-OD-25-068, *Supplemental Guidance to the 2024 NIH Grants Policy Statement: Indirect Cost Rates*, which purports to immediately reduce indirect costs payments to 15%.
5. Through its campuses, the SIU System comprises one of Illinois' premier research universities. The SIU System research enterprise includes the discovery of treatments for cancer, neurogenerative disorders such as Alzheimer's disease and Parkinson's disease, and diabetes; development and teaching of curricula to increase the pipeline of American students to enter science, technology, engineering, and mathematics (STEM) related fields, among other cutting edge areas. This research has been supported by approximately \$20.2M in currently active awards from the NIH.
6. The Southern Illinois University System campuses have a Negotiated Indirect Cost Rate Agreements (NICRA) with NIH. The Indirect Cost (IDC) Rate in the NICRA for SIUC and SOM is 48.5%. The IDC Rate in the SIUE NICRA is 44.5%.
7. NIH's reduction of the SIU System's IDC Rates would eliminate approximately \$4.5M in funding that the SIU System uses to support its research programs. The loss of these funds will immediately impact the SIU System's ability to draw critical funds used to pay expenses associated with research. Every area of the SIU System's research enterprise will be immediately impacted, as IDC is distributed across lab and equipment maintenance, researcher support for investigation and presentation opportunities, research safety protocols,

student researcher development, and broad infrastructure support. Significantly reduced IDC negatively impacts every area of university research, on every draw to which the new rate would apply.

8. IDC is used for support of staff, students, and facilities through payroll and required upkeep and maintenance. A loss of these funds would impact the SIU System support of technical staff that run and support lab facilities, as well as support for faculty and graduate student professional development, enhancement of research skills including internal research competitions and workshops to improve competitiveness for external funding opportunities, and support of graduate students who work in research labs and research centers.

Additionally, these dollars support innovative research developments through purchase of licenses and permits such as species research permits, etc.

9. A loss of IDC would impact the ability of start-up research projects to establish labs for new faculty hires (and, consequently, the ability to hire such faculty), as well as updates of essential safety tools and equipment required to meet safety protocols, including work with biohazardous materials, and work that requires safe disposal of hazardous waste. Additional impacts would be seen through the inability to perform renovations, upgrades, repairs of existing space, as well as purchases of modern lab equipment and other research and tools (such as consumables including gases, chemicals, and the like) needed to ensure the ability to complete research and maintain high level practices in fields including biology, chemistry, engineering, environmental science, nursing, pharmacy, among others. Lastly, funding reductions would impact assurance of research compliance practices including Health Insurance Portability and Accountability Act (HIPAA) compliance, institutional review board (IRB) compliance through Collaborative Institutional Training Initiative (CITI)

trainings, Institutional Animal Care and Use Committee (IACUC) memberships, veterinary training requirements, and the like.

10. The Southern Illinois University System campuses next anticipate to draw funds on NIH grants between February 11, 2025 and March 1, 2025. At that time, the reduced IDC rate will impact every area of the SIU System research enterprise and will do so immediately, as ICR is distributed across lab and equipment maintenance, researcher support for investigation and presentation opportunities, research safety protocols, student researcher development, and broad infrastructure support. A significantly reduced IDC rate negatively impacts every area of university research, on every draw to which the new rate applies.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 9th day of February, 2025.



Gireesh Gupchup, PhD
Vice President for Academic Innovation,
Planning and Partnerships
Southern Illinois University System